

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

JOE HAND PROMOTIONS, INC.)
)
PLAINTIFF,)
)
v.) CASE NO. 1:07-cv-702-MEF
)
JOHN PFAU, *et al.*,)
)
DEFENDANTS.)

ORDER

It has come to the Court's attention that plaintiff's counsel has failed to comply with the dictates of Section 3 of the Uniform Scheduling Order entered by this Court on October 16, 2007 (Doc. # 17). Section 3 requires counsel for the plaintiff to file a pleading titled "Notice Concerning Settlement Conference and Mediation" indicating whether settlement was reached at the face-to-face settlement conference, and if not, whether the parties believe mediation will assist them in resolving this case short of trial. Counsel for plaintiff is required to submit the Notice Concerning Settlement Conference and Mediation within five days of the face-to-face settlement conference.

Pursuant to the Uniform Scheduling Order the parties were to have conducted that face-to-face settlement conference no later than August 8, 2008. Hence, the Notice Concerning Settlement Conference and Mediation should have been filed no later than August 15, 2008. As of this date, no Notice Concerning Settlement Conference and Mediation has been filed.

It is hereby ORDERED that:

- a. Plaintiff's counsel file the Notice Concerning Settlement Conference and Mediation by September 5, 2008.
- b. Plaintiff's counsel must show cause by September 5, 2008, why the Court should not sanction him pursuant to Federal Rule of Civil Procedure 16(f) for failure to comply with the Uniform Scheduling Order in this case.

DONE this the 21st day of August, 2008.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE